

September 12, 2023

The Honorable Sidney H. Stein  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

*Re: United States v. Ariel Jimenez, 18 Cr. 879*

Dear Honorable Judge Stein,

**I, Ashley Medina, declare under penalty of perjury that the following is true and correct:**

I hope this letter finds you in good health. I am writing to respectfully request your consideration in allowing me to continue residing in the property located at 4570 Henry Hudson Parkway East, Bronx, NY 10471 rather than seizing it. I have a personal residential lease at 4570 Henry Hudson Parkway and a lease between Sunrise Charisma to operate a daycare here as well. I believe that maintaining my residence here is crucial not only for my own family's well-being but also for the positive impact my daycare center has on the local community.

As a dedicated member of this community, I established and currently operate a daycare center and preschool within my home called Sunrise Charisma. I am licensed by the New York State Office of Children and Family Services to care for children between the ages of 6 weeks to 12 years old. The center has become an integral part of the lives of many families, providing a safe and nurturing environment for their children's growth and development. I also have incorporated an after-school program where I provide transportation for children whose parents can't pick them up in time because of their work schedule. In my after-school program I tutor these children, help them with homework and provide them with dinner. I found a way to maintain employment as a single mother and serve the community by opening the doors of my home to help make a positive impact on my community, families, and my caring staff. Sunrise Charisma became affiliated with Cardinal McCloskey School and Home for Children(Bronx) and NYC Department of Education. I worked vigorously with the NYC DOE to extend my services beyond the daycare. I devoted many long hours to create an additional space inside the home

of 4570 Henry Hudson that is solely dedicated to the NYC DOE 3-K program and teaching the NYC Department of Education curriculum. 3-K provides free, full day, high quality early childhood education for 3 year olds and children who are turning 3 years old during the calendar year. Parents had to apply to 3-K for the 2023-2024 school year by March 13, 2023. There is a shortage of these programs in the Riverdale area and Sunrise Charisma is a major benefit to the community. There are actively enrolled students in our 3-K program and if we were evicted from our home we would be doing an injustice to these children. If Sunrise Charisma was shut down, we would be disrupting their education because parents would not be able to place them into another 3-K program for the school year since enrollment is now complete. Through my efforts, I have strived to foster a sense of community, offering support and care for both the children and their parents. I also reach out beyond my own community to help enrich the lives of children through the Make-A-Wish Foundation, American Red Cross and St. Jude Children's Hospital through the proceeds received from the daycare. I have also become a Board Member of the Riverdale Main Streets Alliance, an organization that was created in 2012, as the North Riverdale Merchants and Business Association. They are a growing network of local community members, civic organizations, nonprofits and local businesses that provide an outreach to the community through organized events, beautification and business advocacy. Sunrise Charisma was one of the sponsors for their annual Riverdale Block Party/Festival this year and we provided a table for children to have some fun with arts & crafts and water table games. I am also a member of the Bronx Chamber of Commerce. All of this would not have been possible if it wasn't for the 4570 Henry Hudson house.

The daycare center has brought numerous benefits to the community, including:

**Educational Enrichment:** The center offers a structured curriculum designed to enhance children's cognitive, social, and emotional development. Many parents have attested to the positive impact it has had on their children.

**Local Employment:** The daycare center has provided employment opportunities, creating jobs that contribute to the economic growth of the community. I currently have six employees who are all mothers themselves and work hard to provide for their children based on the income that they make here.

**Safe Haven:** Parents have expressed their gratitude for having a reliable and safe place to leave their children while they work, allowing them to provide for their families without worries about their children's well-being.

Support System: The center has become a support network for parents, fostering friendships and connections among families in the neighborhood.

While I understand the concerns that may have led to the possibility of property seizure, I humbly request that the court takes into account the unique circumstances of my situation. In addition to running the daycare center, I am a single mother of two small children, who are 15 months old and 2.5 years old and who have already faced significant trauma at the beginning of their innocent lives. The stability and familiarity of our home are critical for their emotional growth and well-being. I have invested all of my savings, time and energy into making major enhancements to the 4570 Henry Hudson house, which has only increased value to the house. I hired a landscaping company that comes once a week to maintain the property. I also hired a company to repaint the inside and outside of the house and make many repairs to the house. This home is all that my children and I have and evicting us would cause major irreparable harm, damage and loss to me, my family and the Sunrise Charisma family. It would be devastating to everyone and will completely destroy me and my family. I would not have been able to provide a roof over my children's head if it was not for the 4570 Henry Hudson house.

According to Title 21, United States Code, Section 853(h) mentioned below, evicting my small children and I from our home would be harmful beyond repair.

*Title 21, United States Code, Section 853(h) the court may restrain or stay the sale or disposition of the property pending the conclusion of any appeal of the criminal case giving rise to the forfeiture, if the applicant demonstrates that proceeding with the sale or disposition of the property will result in irreparable injury, harm, or loss to him.*

In a world where it has become extremely difficult for many families to make ends meet, there would be no way for me to work and raise my children at the same time. My children would suffer serious emotional damage if we ended up living in a shelter. I would no longer be able to provide for my children because Sunrise Charisma Daycare would have to shut down. The thought of this even happening is destroying me. I am emotionally and physically sick over the idea that my children and I could potentially lose everything that I have worked hard to achieve over the past two years. By allowing me to remain in our home, I can continue to provide a place for my children where they feel safe and secure in knowing

that this is their home and contribute positively to the community and provide stability for those who depend on our services. If anyone reading this letter has children, or has a heart for children, you can clearly understand my concern for wanting to give my children a safe start in life. When we raise children who are emotionally stable, that only adds to a better world. I'm praying that this letter allows you to see beyond a case number and realize that by allowing us to stay, you will be helping to change lives more than you could ever imagine. I'm pleading that you will be a part of us working to be a positive, effective place in the lives of my children and those in this community.

I am also open to any additional conditions or requirements that the court may deem necessary. Thank you for taking the time to consider my request. I am hopeful that, with your understanding of the positive impact my daycare center has on the community and the challenges my family has faced, a favorable decision can be reached that will benefit everyone involved.

Sincerely,

  
Ashley Medina

Sworn to before me on

this 15 Day of Sept 2023

  
Notary Public

SILVIA MARIA VIZCAINO  
Notary Public, State of New York  
Reg. No. 01V14988688  
Qualified in New York County  
Commission Expires July 6, 2024

